

## **REMARKS**

This Amendment is responsive to the Office Action of June 20, 2006. Reconsideration and allowance of **Claims 1-4, 7-14, and 17-24** are requested.

### **The Office Action**

**Claims 1-4, 7-14, and 17-22** stand rejected under 35 U.S.C. §102(e) as being anticipated by Sanders (U.S. Patent No. 6,568,109).

**Claims 5-6 and 15-16** are canceled.

**Claims 23-24** are new.

### **Amendments to the Drawings**

Replacement Sheet 2 replacing originally filed Sheet 2, Figure 2, is attached in an appendix following the last page of this paper. The Replacement Sheet changes reference numeral 16 to 14 in referring to the electrical control system.

### **Claims Distinguish over Cited Prior Art**

**Claim 1** calls for among other elements: the external light load being one of sunlight and a light from approaching train headlights. Sanders describes a light system in which a sensor senses ambient light. Claim 1 calls for sensing sunlight and a light from approaching train headlights. Furthermore, depending on the amount of ambient light sensed, Sanders makes the display brighter or dimmer. E.g., during the daytime Sanders dims the display, while during the nighttime Sanders makes the display brighter. In the embodiment of Fig. 5, Sanders turns the display on with a bright light from an emergency vehicle, for a predetermined time. (Col. 5, lines 24-26). The display stays on at a correct level of brightness for the amount of ambient light. (Col. 5, lines 31-32). As claimed in claim 1, the current to the light source is elevated when the sensor detects one of the sunlight and light from the approaching train headlights. Therefore, Sanders (1) does not describe sensing one of sunlight and the light from the headlights of the approaching train and (2) when such light is detected, elevating the current supplied to the LED. It is therefore respectfully submitted that **claim 1 and dependent claims 2-3 and 7-10** distinguish patentably over Sanders.

**Claim 4** calls for among other elements: at least one sensor being positioned in an enclosure which is located remotely from the light source. Sanders describes a sensor which is positioned in the same enclosure as the light source (Figs. 1, 2). It is therefore respectfully submitted that **claim 4** distinguishes patentably over Sanders.

**Claim 11** calls for among other elements: the external light load being one of sunlight and a light from approaching train headlights. The arguments above regarding claim 1 are equally applicable here. Sanders describes a light system in which a sensor senses ambient light. To the contrary, claim 11 calls for sensing sunlight and a light from approaching train headlights. Depending on the amount of ambient light sensed, Sanders makes the display brighter or dimmer. In the embodiment of Fig. 5, Sanders turns the display on with a bright light from an emergency vehicle, for a predetermined time. (Col. 5, lines 24-26). The display stays on at a correct level of brightness for the amount of ambient light. (Col. 5, lines 31-32). As claimed in claim 11, the current to the light source is elevated when the sensor detects one of the sunlight and light from the approaching train headlights. Therefore, Sanders (1) does not describe sensing one of sunlight and the light from the headlights of the approaching train and (2) when such light is detected, elevating the current supplied to the LED. It is therefore respectfully submitted that **claim 11 and dependent claims 12-14 and 17-22** distinguish patentably over Sanders.

Regarding **claim 14**, in addition to its relationship to claim 11, claim 14 calls for among other elements: mounting the sensor in a location remote from the light source. Sanders describes a sensor which is positioned in the same enclosure as the light source (Figs. 1, 2). It is therefore respectfully submitted that **claim 14** distinguishes patentably over Sanders.

Regarding **claim 22**, in addition to its relationship to claims 11 and 14, claim 22 calls for among other elements: positioning the rail signaling device on a sharp bend; and orienting the remotely positioned sensor along the bend towards a direction of the light of the approaching train headlights. As discussed above, Sanders describes a light system in

which a sensor senses ambient light. Sanders is not concerned with the rail signaling devices. The sensor of Sanders is positioned in the same enclosure as the light source (Figs. 1, 2). Sanders does not describe positioning the sensor on a sharp bend remotely from the light source. It is therefore respectfully submitted that **claim 22** distinguishes patentably over Sanders.

**New claims 23 and 24** have been added to claim additional aspects of Applicant's concepts.

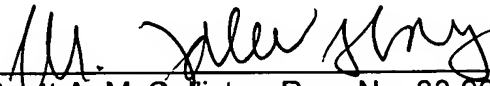
### CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (**Claims 1-4, 7-14, and 17-24**) are now in condition for allowance.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

Date 8/16/06

  
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Scott A. McCollister, Reg. No. 33,961  
Marina V. Zalevsky, Reg. No. 53,825  
1100 Superior Avenue, Seventh Floor  
Cleveland, OH 44114-2579  
216-861-5582

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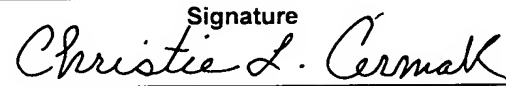
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Under 37 C.F.R. § 1.8, I certify that this Response to Notice of Non-Compliant Amendment is being

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